

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EARNEST SCOTT, Jr.,	:
Plaintiff	:
v.	: Case No. 3:21-cv-194-KAP
NURSE CONOR MYERS, <i>et al.</i> ,	:
Defendants	:

Memorandum Order

Plaintiff Scott's motion for extension of time to file an amended pretrial statement, ECF no. 99, is granted: plaintiff's pretrial statement shall be filed on or before January 31, 2024, and defendants' pretrial statement shall be filed on or before February 28, 2024. I may order summary judgment motions *sua sponte* if there are some obvious grounds for such after I review the pretrial statements (and the parties are welcome to point out any such issues in the "legal issues" portion of their pretrial statements), but the time to file summary judgment motions has otherwise passed and will not be extended. I want to keep this on schedule for trial or other disposition in early 2024. A pretrial conference will be scheduled (if the Department of Corrections has the technology to have inmates participate by video conference, counsel should let my courtroom deputy know of some dates in March 2024 that counsel is available) after pretrial statements have been filed.

Plaintiff's third motion for sanctions, ECF no. 100, and motion for default judgment, ECF no. 108, are denied. New counsel has appeared for the defendants. If counsel has not already responded to the outstanding discovery requests referred to in my order at ECF no. 97, counsel shall do so promptly so that plaintiff can file a pretrial statement on the schedule above.

Plaintiff's latest motion for my recusal, ECF no. 104, is denied for the same reason given in denying previous similar motions. The Clerk shall place ECF no. 105 (the supporting affidavit/correspondence) under seal because it contains personal identifiers.

DATE: December 15, 2023



Keith A. Pesto,
United States Magistrate Judge

Notice by ECF to counsel of record and by U.S. Mail to:

Earnest Scott, Jr. ND-3773
S.C.I. Houtzdale
P.O. Box 1000
Houtzdale, PA 16698